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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

The Development of Operational,
Technical, and Spectrum Requirements
for Meeting Federal, State and Local
Public Safety Agency Communication
Requirements Through the Year 2010

Establishment of Rules and Requirements
for Priority Access Service

WT Docket No. 96-86

COMMENTS OF GTE SERVICE CORPORATION

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SUMMARY

GTE supports establishment of a wireless priority access service, based on the National Communications System's ("NCS") cellular priority access service ("CPAS") proposal and modified consistent with these comments.

- The allocation of additional bandwidth for public safety may reduce the need for wireless priority access service, although it likely will not entirely eliminate it. Although alternative service arrangements for emergency responders will lessen the demand for priority access service, there is a need for an ubiquitous, nationwide network to support the efforts of National Security/Emergency Preparedness ("NS/EP") personnel during times of emergency.
- GTE believes that CPAS is a growing competitive issue for wireless carriers. Such operators must, however, have the benefit of nationwide standards based on the PACA standard. In GTE's view, the PACA standards to support CDMA and TDMA provision of CPAS are sufficiently developed for implementation and an analog form of CPAS for subscription users is not necessary. Government Emergency Telecommunications Service ("GETS"), an NCS program to provide telecommunications to authorized NS/EP personnel during crisis situations, in GTE's view, is predicated on the GETS user being capable of making use of the broadest set of available resources, and, accordingly, may require priority access through analog phones. GTE believes such a requirement can be accommodated without requiring modification to analog phones by using the GETS PIN for user validation and by limiting service features to a callback when a radio channel is assigned.
- Wireless providers should not be compelled to offer priority access service. GTE believes that marketplace demand should drive the development of a CPAS (or wireless priority access service) offering. If, however, the marketplace does not lead to adequate development of CPAS to meet the needs of NS/EP users, the issue can be revisited in the future. Where wireless carriers do offer CPAS, they should be required to comply with the nationwide PACA standards. In addition, no wireless carrier that offers priority access should be required to do so without the guarantee of full cost recovery from CPAS users.
- GTE agrees that all providers of two-way Commercial Mobile Radio Services ("CMRS"), including resellers, should be permitted to offer CPAS. All CMRS providers of CPAS would be subject to the same rules. Air-ground service should be excluded, since it is not likely to be a subscription service for NS/EP personnel.

- The FCC should affirmatively state that wireless providers are absolved of any liability arising from providing CPAS, so long as the carrier is operating in compliance with the CPAS rules. Without such protection, carriers will be wary of undertaking to provide CPAS.
- GTE believes that appropriate priority access service users should include Government authorized and designated business and/or private officials who have NS/EP designated, contracted, or related public safety functions.
- GTE supports the NSTAC's recommendation for a five level priority system for users responding to local, state/regional, and federal disasters. GTE believes that the Commission should work with the NSTAC and CPAS Subgroup bodies, which have open and full government and industry participation, to address and resolve CPAS issues. GTE also supports the CPAS Subgroup position that CPAS be made compatible with GETS and that GETS users be extended the capabilities of CPAS.

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COMMENTS OF GTE SERVICE CORPORATION

GTE Service Corporation ("GTE"), on behalf of its affiliated telecommunications companies, hereby submits comments in response to the Federal Communications Commission's ("FCC" or "Commission") *Second Notice of Proposed Rulemaking* in the above-captioned proceeding.¹

On October 19, 1995, the National Communications System ("NCS") petitioned the Commission to institute a rulemaking proceeding to establish Cellular Priority Access Service ("CPAS"), which would give certain users of cellular systems primacy during times of emergency. In partial response to the NCS petition, the FCC released

¹ *Second Notice of Proposed Rulemaking*, The Development of Operational, Technical, and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010; Establishment of Rules and Requirements for Priority Access Service, FCC 97-373 (Oct. 24, 1997) ("*Second Notice*"). The date for filing comments was extended to December 24, 1997 by *Order*, DA No. 97-2667 (Dec. 19, 1997).

its *Second Notice* that, *inter alia*, seeks comment on wireless priority access service for use on commercial mobile radio systems during emergency and disaster situations.

I. INTEREST OF GTE

These comments reflect the views of all GTE business units, including GTE Wireless and GTE Government Systems. GTE Government Systems has a particular interest in these proceedings in its role as the Government Emergency Telecommunications Service ("GETS") Integration Contractor ("IC").² GETS is an NCS program that responds to requirements from the Executive Office of the President to provide effective telecommunications to authorized National Security/Emergency Preparedness ("NS/EP") users during crisis situations causing severe stress to the Nation's telecommunications infrastructure.³

GETS supports NS/EP requirements for the use of public, defense, or federal telephone networks by government departments, agencies, and other authorized users at the federal, state, and local levels. The NS/EP user community includes organizations, and designated individuals within them, whose mission supports any of the following:

- National security leadership;
- National security posture and U.S. population attack warning;

² These comments are GTE's alone and as such have not been accepted or approved by the GETS program management office.

³ These situations may include, for example, earthquakes or terrorist strikes that cause congestion and/or damage to the Nation's telecommunications infrastructure.

- Public health, safety and maintenance of law and order; and
- Public welfare and maintenance of national economic posture.

GETS provides authenticated access, enhanced routing, and priority treatment for NS/EP users in local and long-distance telephone networks. GETS access is through a simple dialing plan and personal identification number ("PIN"). Currently, GETS uses three major types of networks:

- The long-distance networks provided by three interexchange carriers —AT&T, MCI, and Sprint — including their international services;
- The local networks provided by local exchange carriers and wireless carriers; and
- Government-leased networks (e.g., Federal Telecommunications System, Defense Switched Network, etc.).

Although GETS and CPAS share many of the same criteria for authorized priority treatment, there are significant differences. Priority access is necessary for implementation of GETS over wireless networks. GETS is already being implemented within the wireline telephone network. If the Commission decides to establish CPAS subject to the conditions set forth below, the Commission should also consider extending the CPAS capability to provide GETS users wireless services comparable to those being implemented in the wireline network.

II. DISCUSSION

GTE believes that establishing wireless priority access service is consistent with the Commission's statutory mandate "to make available a rapid, efficient Nation-wide... communications service for the purpose of the national defense, [and] for the purpose

of promoting safety of life and property...."⁴ Subject to certain concerns expressed below, GTE supports the NCS CPAS initiative as a means to address the NS/EP needs for priority wireless access.

A. Need for the Service

The Commission seeks comment on the NCS contention that, although the public safety rulemaking might ultimately mitigate the need for priority access, there could be no harm in having rules to address the current situation.⁵ As recognized by the Commission, the amount of spectrum available for dedicated public safety communications uses is being dramatically increased by the availability of 24 megahertz of spectrum in the 746-806 MHz band. The Commission also correctly observes that the degree of need for priority access may be affected by the availability of alternative service arrangements to safety and rescue personnel in emergencies.

GTE believes that, although the public safety rulemaking will reduce the need for priority access, it will not likely eliminate it. NS/EP requirements arise from the most severe of circumstances in which users may find that the only available telecommunications resources providing needed connectivity are those of the Nation's wireless carriers. Furthermore, the public safety rulemaking would afford local public safety officials new bandwidth that will likely be used for communications within the immediate vicinity of the affected emergency or disaster area. Unless all local and

⁴ 47 U.S.C. § 151.

⁵ *Second Notice*, ¶ 188.

public safety officials coordinate on uniform/standard, nationwide, and ubiquitous processes for use of this new allocated bandwidth, it is likely that piecemeal development and implementation of processes and procedures will be the rule, rather than the exception, leaving adjoining areas of incompatible and non-interoperable communications. There are numerous examples of the hazards of incompatible and non-interoperable communications within the military, prior to the advent of joint operations, wherein adjacent units of different services that had developed their own communications needs could not communicate with one another on critical issues and with disastrous results.

While the development of emergency wireless systems by various public safety officials is commendable and needed, unless it is standardized, it again sets up the possibility for piecemeal deployment of priority access capabilities, as well as the possibility for incompatibilities and lack of interoperability and standard processes among deployed systems in different areas/agencies. Many emergency and disaster situations require cross-boundary, cross-service, cross-organization, and cross-state responses, as well as an influx of regional and federal NS/EP users from outside the affected area who require timely and pervasive emergency communications services.

Additionally, although the ability rapidly to deploy "trailorized" mobile systems will provide significant benefits in restoring and/or augmenting telecommunications capacity in an affected area, such ability does not address the need for immediate support across a large area as occurs in the earliest stages of a crisis. To be most effective, trailorized mobile capabilities that are deployed to support an affected area must be as compatible and interoperable as possible with local, regional, and national

communications capabilities and must include wireless priority access features that are the same as fixed location systems to provide CPAS and GETS users a consistent service.

It is unlikely that all official emergency communications needs would be solved by the allocation of new spectrum in the 746-806 MHz band. Given this probable gap, certain NS/EP telecommunications needs might be met by the Nation's existing wireless networks. With a nationwide standard, CPAS, coupled with GETS, could offer a uniform, interoperable service to authorized users, providing the cross-area, cross-service, cross-boundary, and cross-organization connectivity needed by local, state, and federal public safety officials.

B. GTE Supports Establishing CPAS Subject To Certain Conditions

GTE does not oppose the NCS initiative to establish wireless priority access services on commercial mobile radio systems for use in meeting communications needs in emergency and disaster situations. In fact, GTE urges the Commission to adopt certain rules for priority access services. GTE cautions the Commission, however, that it should establish CPAS subject to certain considerations.

1. CPAS Is A Growing Competitive Issue

In GTE's experience, there is a growing demand for CPAS among governmental, public safety, and Government authorized businesses who have NS/EP designated, contracted, or related public safety functions. In light of this demand, GTE believes that wireless carriers that do not provide CPAS will be at a competitive disadvantage vis-à-vis other wireless carriers in the CMRS marketplace. GTE believes, however, that

wireless carriers must have the benefit of nationwide standards to provide public safety entities with the ability to engage in emergency response activities using CPAS.

a. The PACA Standards Are Necessary For Interoperability

The Commission seeks comment on the progress of the development of priority access standards for wireless.⁶ Certain proprietary vendor solutions are currently available to wireless carriers to provide priority access. These proprietary solutions pose grave administrative difficulties, however, and GTE has therefore been hesitant to employ such technologies until nationwide standards are finalized. The PACA standard⁷ to support TDMA exists in final form, and GTE expects that the CDMA standard will become final in the second quarter of 1998. Although GTE believes that these standards are final enough to proceed with offering CPAS, GTE emphasizes that a nationwide standard offered through IS-41 is essential to support subscriber roaming to visited systems and to provide federal public safety entities with the ability to engage in nationwide emergency response activities. Current proprietary technologies are not sufficient for this purpose.

b. GETS Resolves The Need To Retrofit Analog Phones

The Commission has expressed the concern that "the record indicates that the PACA feature can be installed only in new phones, and thus is not backward

⁶ *Second Notice*, ¶ 213.

⁷ The PACA capability is defined in EIA/TIA-664, Cellular Features Description; in IS-41.3-C and IS-41.5-C; and as submitted as input for IS-95-B (CDMA), plus EIA/TIA-627 and IS-136 (both TDMA).

compatible.”⁸ Because significant analog cellular services will continue to exist throughout the U.S. well into the next century, the inability to equip analog phones with CPAS capability is a legitimate consideration. GTE, however, believes that the PACA standards for CDMA and TDMA are sufficiently developed for the implementation of CPAS and that an analog form of CPAS for subscription users is not necessary. GTE also believes that GETS must be able to achieve priority access from all digital and analog phones and that this can be done without requiring additional CPAS standards and without requiring modified digital and analog phones.

The Commission seeks comment on the claim that the CPAS feature is designed for implementation only by NS/EP users who will have to acquire a commercial off-the-shelf or dual-mode handset built in accordance with the digital interface standards necessary to allow “queuing” operation.⁹ Thus, according to one party, in order for the CPAS proposal to work with analog handsets, cellular providers would have to implement the CPAS scheme differently than proposed, or implement two different CPAS schemes.¹⁰

GTE agrees that fully functioning CPAS capabilities can only be done on new phones, not those already deployed. However, GETS priority access based on triggering CPAS queuing treatment from the dialed digits 710-NCS-GETS can be extended to analog phones (and non-CPAS digital phones) without requiring wholesale

⁸ *Second Notice*, ¶ 218.

⁹ *Id.*, ¶ 219.

¹⁰ *See id.*

development of a second CPAS scheme. The same basic CPAS queuing structure and call processing would be applied. Minor GETS augmentations would be necessary to trigger the treatment from the dialed digits and to not remove GETS calls from the CPAS queue under some of the conditions in which CPAS calls would be removed.

GTE also believes that wireless priority access for GETS must include analog phones as the GETS concept is predicated on GETS users being capable of making use of the broadest set of available resources. Extension of CPAS priority treatment to analog phones for purposes of GETS does not require modification of analog phones. Use of the GETS PIN for user validation is an effective fraud prevention mechanism for the analog phones. Although GETS, as an on-demand priority service based on dialed digits, would not provide the same level of queuing status feedback to the user when accessed from a non-CPAS capable phone, which is a result of the analog phone five second time-out, it is more tolerable than complete lack of capability.

Once a voice channel became available, the GETS user would then receive regular GETS services, initiated by use of and system validation of the GETS PIN. Callers without such GETS PINs would not gain any advantage by calling the GETS digits. While they would be queued for a voice channel if all were busy, without a GETS PIN, they would be denied further priority treatment in call completion and, as such, would not acquire any benefit from queuing.

The Commission also seeks comment on the necessity of additional security measures for CPAS in light of the fact that most operating cellular systems are still analog and the fact that digital communications may not be sufficiently secure. GTE believes there are adequate security mechanisms in the digital phones for CPAS as a

subscription service. GETS use with analog phones (or on-demand access with non-CPAS digital phones) would be protected by the GETS PIN, which would provide the security needed to assure that only authorized GETS users would get priority treatment beyond queuing for a voice channel. Non-GETS users, even if they could get queued for a voice channel by dialing the GETS dialed digit without having a CPAS priority level, would not get any benefit from their priority treatment without having a PIN that could be validated by the network.

2. CPAS Should Not Be Mandatory

The Commission seeks comment on whether CMRS providers should be permitted to provide priority access services on a voluntary basis.¹¹ The NCS Petition proposed that priority access rules would not be mandatory.¹² GTE believes that there are clear costs and benefits associated with mandating CPAS that must be balanced carefully.

GTE recognizes that nationwide CPAS capability will bring significant benefits to the public safety community. Indeed, nationwide CPAS capability may be necessary for large-scale federal emergency response. As detailed above, GTE also believes that there is a significant market for CPAS among its government and public safety customers, as well as businesses that have NS/EP designated, contracted, or related public safety functions. If, however, this demand does not cause CPAS to develop as a

¹¹ *Id.*, ¶ 210.

¹² National Communications System Petition for Rulemaking at 11 (filed Oct. 19, 1995).

voluntary response to market demand for communications tools that assist safety and rescue personnel in emergencies, then the Commission can, at the request of interested parties, re-examine whether further relief is appropriate.

While the Commission should not mandate that all CMRS providers must provide CPAS, GTE urges the Commission to adopt rules in two discrete areas. First, the Commission should require wireless carriers that decide to offer CPAS to adhere to the nationwide PACA standards that will support CPAS. Without nationwide standards, emergency response personnel will not have the benefit of interoperability or seamless roaming, two features that are crucial in times of disaster and emergency.

Second, no CMRS provider should be required to offer CPAS unless cost recovery standards are in place. At a minimum, GTE believes the CPAS users must pay a fair and reasonable price for the service. To that end, the Commission should mandate that CPAS in its entirety should be funded by CPAS users. In the absence of federal funding for the service, wireless providers should be able to recover the costs of CPAS implementation directly from the state and local entities requesting the service.

GTE also believes that the total cost for wireless providers and the Government could be minimized by the Government directly (or through an integration contractor) contracting with vendors to make the capabilities needed for implementing the service available to the wireless providers at no additional charge. This approach has evolved through the Government's successful experience with the GETS program and provides a means to minimize the investment and risk burden of wireless providers, while also achieving an economical and ubiquitous implementation of GETS.

3. All Wireless Carriers Should Be Permitted To Offer CPAS

The Commission has tentatively concluded that "all CMRS carriers, including cellular carriers, should be considered as potential providers of priority access service."¹³ The Commission also requests comment on the role of resellers of CMRS in offering priority access, particularly focusing on the issue of non-discrimination in resale.¹⁴

GTE agrees that all providers of two-way CMRS, including resellers and except air-ground service,¹⁵ should be subject to any CPAS rules that the Commission adopts. As demand in the competitive marketplace increases for priority access service, all CMRS carriers providing two-way capability should be permitted to respond. For that reason, GTE believes that the more appropriate term for CPAS might be wireless priority access service ("WPAS").

4. The Commission Must Limit Carrier Liability

Section 202(a) of the Communications Act makes it unlawful for any common carrier to engage in any *unreasonable discrimination or preference* in connection with

¹³ Second Notice, ¶ 221.

¹⁴ See, e.g., Section 20.12(b) of the Commission's Rules, 47 C.F.R. § 20.12(b), providing that "[e]ach carrier subject to this section must permit unrestricted resale of its service." This requirement applies to the providers of PCS, cellular, and SMR service specified in Section 20.12(a) of the Commissions Rules. 47 C.F.R. § 20.12(a).

¹⁵ GTE does not believe that air-ground service should be included because, unlike other two-way services, air-ground service is not likely to be a subscription service for NS/EP personnel.

the provision of communications services.¹⁶ In light of carrier concerns about liability, the Commission has proposed:

[I]t will be sufficient for a CMRS provider, in responding to any complaint alleging an unreasonable discrimination or undue preference under Section 202 of the Communications Act, to demonstrate that the service provided by the carrier is exclusively designed to enable authorized priority users, in emergency situations when spectrum used by the carrier is congested, to gain access to the next available channel on the service network of the carrier, before subscribers not engaged in public safety or NSEP functions. Such a demonstration would shift the burden of proof to the complainant.¹⁷

This proposal is an important step towards alleviating the fears of many earlier commenters that uncertainty over potential liability will discourage carriers from voluntarily providing a CPAS service. However, it does not go far enough. Although GTE agrees in concept that the Commission's proposed scheme shifts the burden of proof to the complainant, the practicality of the carrier being able to make the required demonstration without clear rules or requirements (such as for CPAS) would be a significant barrier to wireless carriers providing priority access service. Clear guidelines are critical because, unlike the Telecommunications Service Priority rules, CPAS providers would face considerable liability risks because the service is voluntary. Therefore, GTE recommends that the Commission go a step further than its proposal and make an affirmative finding that compliance with any CPAS rules is an absolute

¹⁶ 47 U.S.C. § 202(a).

¹⁷ *Second Notice*, ¶ 200.

defense to any liability allegation arising from provision of CPAS as an offering.¹⁸ This should include any wireless carrier providing such a service.

The *Second Notice* also posits the types of priority access services that will qualify for limitation of liability under Section 202.¹⁹ The Commission tentatively concludes that the liability should be limited for CMRS services providing priority access to NS/EP personnel, including Federal Government entities, in addition to State and local governmental entities performing public safety functions. It also tentatively concludes that priority access services provided by commercial carriers to corporate or other business or private subscribers on a private contractual basis would not qualify for any limitation of liability under Section 202. GTE disagrees with this tentative conclusion.

NS/EP personnel, who are also GETS users, may include representatives of commercial organizations who may have, need, or dynamically acquire a NS/EP-like role in responding to emergencies or disasters. Commercial and/or private enterprises may be under contract to the Government to perform NS/EP functions, and wireless providers should not be precluded from liability protection for services provided to such entities when requested by the Government for NS/EP functions. An example is a key person at a "private" chemical plant who may be called upon to act in an NS/EP role in the event of an emergency or disaster situation that could be impacted/exacerbated by

¹⁸ This position was advocated by GTE in comments on the original NCS petition for rulemaking. See Comments of GTE Mobilnet, WT Dkt. 96-86 (filed Jun. 17, 1996).

¹⁹ *Second Notice*, ¶ 201.

the chemical plant, and, thus, require priority access. As such, GTE requests that the limitation of liability under Section 202 recognize that NS/EP personnel could include personnel of appropriately authorized and designated "corporate, other business or private" officials performing duly recognized and officially authorized NS/EP functions.

C. Establishing Priority Levels

In the *Second Notice*, the Commission determined that there were several areas that it needed to explore further before it could make a "comprehensive proposal[] of issues related to priority access."²⁰ One such area is the priority levels for priority access. Specifically, the Commission seeks comment on what priority levels should be included in priority access.²¹

GTE supports the recommendations of the September 1995 CPAS Subgroup Report issued under the Wireless Services Task Force of the President's National Security Telecommunications Advisory Committee ("NSTAC"), which proposed a five level priority system for local, state/regional, and federal disasters.²² GTE believes that

²⁰ *Id.*, ¶ 189.

²¹ *Id.*, ¶ 190.

²² The NSTAC report was the result of a collective effort of government and industry organizations. The CPAS Subgroup worked with industry standards representatives including ATIS, TIA, and CTIA, to determine the best solution for implementing technical standards that would support CPAS implementation. The report proposed the following priority levels:

- One — Executive Leadership and Policy Makers
- Two — Disaster Response/Military Command and Control
- Three — Public Health, Safety, and Law Enforcement Command
- Four — Public Services, Utilities, and Public Welfare
- Five — Disaster Recovery

the NSTAC is the appropriate body to address the priority access issue and that the CPAS Subgroup should continue to be the focal point for government and industry debate and discussion on this issue. The specific focus of these groups is on NS/EP needs that address the public interest, and not on potentially competing issues, such as market forces or business cases. The NSTAC CPAS Working Group therefore is the best forum for adjudicating CPAS issues.

GTE further endorses the CPAS Subgroup Report requirement that CPAS be compatible with GETS and that GETS users be provided with CPAS capabilities as an extension to CPAS.²³ Currently, a CPAS user without GETS, though getting queued for a voice channel from the mobile handset to the mobile switching center ("MTSO"), would not receive further priority treatment to address subsequent points of congestion (e.g., trunks out of the MTSO). This is acceptable for addressing local situations where the congestion is limited to radio channel access, but it is not acceptable in the more severe situations of broad infrastructure impairment where end-to-end priority treatment is essential. GTE believes GETS users, in addition to CPAS priority treatment for access, should also receive further priority treatment, such as outgoing trunk queuing, High Probability of Completion codepoint setting, and enhanced alternate carrier routing, which would significantly increase the end-to-end probability of successful call completion.

²³ The President's National Security Telecommunications Advisory Committee (NSTAC), Wireless Services Task Force, Cellular Priority Access Services (CPAS) Subgroup Report (Sept. 1995).

The five level qualifying criteria proposed by the CPAS Subgroup Report appears to satisfy the minimum requirements for a priority level system that addresses the response requirements of appropriate federal, state, and local NS/EP officials. In particular, the Report proposes giving certain public safety officials, specifically the likely first respondents to an emerging crisis or disaster situation in an area, the second highest priority, with only executive leadership and policy makers being given a higher priority.²⁴

In addition to its concerns about what priority levels should be included, the Commission is interested in determining how a priority access structure can best be formulated and applied. Specifically, the FCC seeks comment regarding whether it should "prescribe rules for priority levels, rely on industry and governmental agency groups to establish uniformly applied priority levels, or leave to carriers the decision to offer individual or customized priority levels, consistent with a single set of principles and criteria, to the subscribers who demand priority access."²⁵

GTE is in agreement with the NSTAC's CPAS Subgroup Report on a priority level construct. The CPAS subgroup provided a forum for government and industry organizations to define, scope, and address the many difficult issues related to priority access. Further, the NSTAC itself consists of up to 30 senior corporate leaders representing major telecommunications-related industries. It would seem appropriate to

²⁴ The top level priority would include, e.g., mayor, local emergency manager, governor, President, Secretary of Defense and military leaders, depending on the extent of the emergency.

²⁵ *Second Notice*, ¶ 191.

continue to use the NSTAC and its subgroups and task forces, and particularly the CPAS Subgroup, to address issues relating to wireless priority access.

The Commission also seeks comment on what priority access structure or structures would be most suitable to the developing commercial wireless environment and what role should be played by industry groups in going forward in the development of priority access.²⁶ GTE believes there already is sufficient specification of standards and operating procedures to enable a viable implementation of priority wireless access today.

D. Administration of Priority Access

In the light of the broad scope of the Commission's proposal concerning priority access, the Commission has determined that it will not address in the Second *Notice* issues concerning administration of priority access.²⁷ GTE agrees that the issue of administration can be deferred and is prepared to continue to work with government entities and public safety agencies to resolve the issue. GTE further believes that the NSTAC is the appropriate body to address the administration issue and that the CPAS Subgroup should continue to be the focal point for government and industry debate and discussion on this issue. Individual organizations could and should continue to develop their positions on CPAS, in consideration of the various issues impacting their particular

²⁶ *Id.*, ¶ 192.

²⁷ Those issues include the assignment of priority levels, safeguarding against potential abuses of priority access systems, and who should have or share responsibility in the administration of priority access.

viewpoint. However, GTE feels that a group such as the CPAS Subgroup under the NSTAC, whose specific focus is on NS/EP needs that address the public interest, and not on potentially competing issues, such as market forces or business cases, is the best forum for continuing to develop consensus on CPAS issues.

III. CONCLUSION

For the foregoing reasons, GTE urges that the Commission adopt CPAS rules as outlined above.

Respectfully submitted,

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